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October 2, 2023

**VIA ECF**

The Honorable Robert B. Kugler  
United States District Court Judge  
District of New Jersey  
Mitchell H. Cohen Building & U.S. Courthouse  
4th & Cooper Streets Room 1050  
Camden, NJ 08101

Special Master the Honorable Thomas Vanaskie  
Stevens & Lee  
1500 Market Street, East Tower  
18th Floor  
Philadelphia, PA 19103

**Re: In re Valsartan, Losartan, and Irbesartan Products Liability Litigation  
Case No. 1:19-md-02875-RBK-JS**

Dear Judge Kugler and Special Master Vanaskie:

This letter is to provide Defendants' positions with respect to the topics on the agenda for the Case Management Conference with the Court on October 4, 2023. The parties do not expect the need to discuss any confidential materials as part of these agenda items.

**1. Losartan/Irbesartan Discovery – Torrent Update**

Torrent and Plaintiffs have reached an agreement regarding discovery end dates for custodial productions. The parties have agreed to an end date of May 22, 2023, for newly identified custodians and the following custodians previously identified during valsartan discovery:



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1. Sushil Jaiswal
2. Dilkes Shah
3. Reddy Neravetla
4. Jocelyn Rivera

Torrent will search the remaining custodial files identified during valsartan discovery through the original date of collection.

## **2. Plaintiff Fact Sheet Deficiencies and Orders to Show Cause**

### **Cases Addressed at the September 12, 2023 Case Management Conference:**

The Court issued 33 show cause orders returnable at the October 4, 2023 Case Management Conference:

1. *Ricky Young v. ZHP, et al.* – 22-cv-7210
2. *Leslie Sturgill v. ZHP, et al.* – 23-cv-612
3. *Joseph George v. Hetero, et al.* – 21-cv-12916
4. *Michelle Worms v. Hetero, et al.* – 20-cv-19852
5. *Robert Lee v. Hetero Drugs, et al.* – 20-cv-19843
6. *Karl Bartels v. Hetero Labs, et al.* – 20-cv-19869
7. *Phyliss Axt v. ZHP, et al.* – 20-cv-8050
8. *James Polk v. ZHP, et al.* – 21-cv-13582
9. *Tommy Benton v. Teva, et al.* – 21-cv-13858
10. *Jerome Zimmerman v. ZHP, et al.* – 23-cv-1884
11. *Ronald Jackson v. Torrent, et al.* – 23-cv-2341
12. *Byron Wrigley v. ZHP, et al.* – 23-cv-831
13. *Steven Petrie v. ZHP, et al.* 23-cv-1772
14. *Gregory Adams v. Hetero, et al.* – 20-cv-15420
15. *Antonio Guzman v. Hetero, et al.* – 20-cv-15712
16. *Lori Stratton v. Torrent, et al.* – 20-cv-15476
17. *Lawrence Taliaferro v. Camber, et al.* 20-cv-15479
18. *Darlene Barzee v. Aurolife, et al.* – 20-cv-15731
19. *Shirley Black v. Torrent, et al.* – 20-cv-15740
20. *Anthony Burton v. Aurolife, et al.* – 20-cv-15742
21. *Lillian Ghrigsby v. Aurolife, et al.* – 20-cv-15746
22. *Dianne Hardy v. Aurolife, et al.* – 20-cv-15748
23. *Robert Henley v. ZHP, et al.* – 20-cv-15750
24. *Rhonda Kent v. Hetero, et al.* – 20-cv-15752
25. *Jesus David Torres v. Hetero, et al.* 20-cv-15758



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26. *Joy Higgins v. Hetero, et al.* – 20-cv-15759
27. *Gonzalo Salazar v. Hetero, et al.* – 21-cv-20033
28. *Dinah Brown v. Camber, et al.* – 21-cv-14477
29. *Rosanne O'Callaghan v. Aurobindo, et al.* – 20-cv-15125
30. *Shawna Martinez v. Aurobindo, et al.* – 21-cv-12152
31. *Emmett Wesson v. Aurobindo, et al.* – 23-cv-2342
32. *E/O Barbara Kaluhiokalani v. Hetero, et al.* – 23-cv-2550
33. *E/O Mary Hines v. ZHP, et al.* – 23-cv-2674

The issues in the *Young, Axt, Polk, Kaluhiokalani, Hines*, and *Zimmerman* matters are resolved, and the show cause orders may be withdrawn.

The issues in the *Sturgill, George, Worms, Lee, Bartels, Jackson, Wrigley, Petrie, Adams, Guzman, Stratton, Taliaferro, Barzee, Black, Burton, Ghrigsby, Hardy, Henley, Kent, Torres, Higgins*, and *Wesson* matters remain unresolved, but the parties agree to an extension of the show cause orders until the next case management conference.

The issues in the *Benton, Salazar, Brown, O'Callaghan*, and *Martinez* matters remain unresolved, and Defendants request their dismissal at this time.

**Second Listing Cases – Order to Show Cause Requested:**

Pursuant to CMO-16, the Plaintiff Fact Sheets in the below cases are substantially incomplete and contain core deficiencies. Each of these cases were previously listed on the agenda for a prior CMC. This list was provided to Plaintiffs' leadership on September 26, 2023, and a global meet and confer was held on September 29, 2023. Defendants have also been available for further discussion as needed. Accordingly, Defendants request that an Order to Show Cause be entered in each of these cases, returnable at the next case management conference, as to why these cases should not be dismissed.



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Defense counsel will be prepared to address the individual issues with respect to each of these cases, to the extent necessary, during the October 4, 2023 Case Management Conference:

	Plaintiff	Civil Action No.	Law Firm	Deficiencies	Deficiency Sent
1.	Stacey Thomas v. Hetero, et al.	19-cv-21832	Farris Riley	Need medical expenses.	7/30/23
2.	E/O Brandon Kemp v. ZHP, et al.	21-cv-9827	Blizzard Law	Provide undated authorizations.	7/30/23
3.	Phillip Quinn v. Hetero Drugs, et al.	21-cv-16026	Oliver Law	Need medical expenses.	8/11/23
4.	E/O Alexandra Samocha v. Hetero, et al.	21-cv-17384	Hollis Law	Need medical expenses	8/11/23
5.	Benjamin Andrews v. ZHP, et al.	21-cv-10908	Whitehead Law	Need pharmacy records; need medical records; need HIPAA authorizations, all authorizations must be undated.	8/11/23
6.	Pauline Harris v. Aurobindo, et al.	23-cv-03016	Levin Papantonio	PFS was not completed by proper representative; missing medical records.	8/21/23



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7.	Antoinette Smith v. Aurobindo, et al.	23-cv-4166	Oliver Law Group	Missing authorizations for several providers.	8/22/23
8.	Vicki Lamb v. Hetero, et al.	23-cv-3700	Fleming Nolen	No PFS Filed	PFS Due – 9/11/23

**First Listing Cases – Remaining Core Deficiencies:**

The following Plaintiff Fact Sheets contain core deficiencies which remain unresolved. This list was provided to Plaintiffs’ leadership on September 26, 2023, and a global meet and confer was held on September 29, 2023. Defendants have also been available for further discussion as needed. This is the first time these cases have been listed on this agenda. Accordingly, Defendants are not requesting orders to show cause with respect to any of the below cases at this time and will continue to meet and confer to resolve these deficiencies.

	Plaintiff	Civil Action No.	Law Firm	Deficiencies	Deficiency Sent
1.	Larry Morgan v. Princeton, et al.	23-cv-3289	Nigh Goldenberg	Need authorizations; need to answer dietary questions; need to answer prior convictions questions	9/6/23
2.	Thetta Smith v. ZHP, et al.	23-cv-3291	Nigh Goldenberg	Largely deficient PFS; no records; no authorizations	9/6/23



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3.	E.O. Joseph Saad, et al. v. Hetero Drugs, Ltd., et al.	23-cv-03218	Levin Papantonio Rafferty	No insurance records authorizations produced for: Aetna Insurance or Express Scripts. Only health care authorizations were provided for said entities. Please produce properly executed and undated insurance records authorizations for Aetna and Express Scripts.	9/1/23
4.	Paul Blanchard v. ZHP, et al.	23-cv-4108	Farr, Farr	No PFS Filed	PFS Due - 10/1/23
5.	Yuriy Fershter v. ZHP, et al.	23-cv-4110	Farr, Farr	No PFS Filed	PFS Due - 10/1/23
6.	Gerald Eaton v. Mylan, et al.	23-cv-4114	Farr, Farr	No PFS Filed	PFS Due - 10/1/23
7.	Regina Hill v. Aurobindo, et al.	23-cv-4125	Farr, Farr	No PFS Filed	PFS Due - 10/2/23
8.	Roberta Miller v. ZHP, et al.	23-cv-4136	Farr, Farr	No PFS Filed	PFS Due - 10/2/23
9.	Igor Berkovski v. Hetero, et al.	23-cv-4153	Charles E. Boyk	No PFS Filed	PFS Due - 10/3/23



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10.	Janice Parks v. ZHP, et al.	23-cv- 4155	Farr, Farr	No PFS Filed	PFS Due - 10/3/23
11.	Gary Worthen v. Aurobindo Pharma, et al.	23-cv- 4163	Farr, Farr	No PFS Filed	PFS Due - 10/3/23

Respectfully submitted,

/s/ Victoria Davis Lockard

Victoria Davis Lockard

cc: Adam Slater, Esq. (*via email, for distribution to Plaintiffs' Counsel*)  
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